

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Scheidewend, et al.
Serial Number: 09/445,268
Atty. Docket: RCA 89,068
Filing Date: April 3, 2000
For: SYSTEM AND METHOD FOR COORDINATING USER
ACTIONS
Art Unit: 2424
Examiner: Michael Van Handel

AMENDMENT AND RESPONSE TO EXAMINER'S ANSWER

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

Sir:

In response to the Examiner's Answer dated December 8, 2008 containing a new ground of rejection, for which a response is due February 8, 2009, Applicants hereby request that prosecution be reopened and that the following amendment and remarks/arguments be entered in the above-identified application.

Listing and Amendment of the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Listing and Amendment of the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-15. (CANCELLED)

16. (CURRENTLY AMENDED) A method for processing a plurality of programs using a video apparatus, the method comprising:

receiving, via said video apparatus, a first user input selecting a first program for removal from a first list representing a list of programs scheduled for recording;

receiving, via said video apparatus, a second user input selecting a second program for removal from a second list representing a list of programs purchased;

determining, via said video apparatus, whether said second program also appears on said first list responsive to said second user input; and

removing, automatically via said video apparatus, said second program from said first list if said second program appears on said first list.

17. (CURRENTLY AMENDED) A method for processing a program using a video apparatus, the method comprising:

removing, via said video apparatus and in response to a user command, said program from a first list of programs representing programs scheduled for recording;

determining, via said video apparatus and in response to said user command, whether said program is also a purchased program;

enabling, via said video apparatus, an on screen display including an option to cancel the purchase of said program if it is determined that said program is also a purchased program; and

removing, via said video apparatus, said program from a second list of programs representing purchased programs responsive to user selection of said option.

18. (PREVIOUSLY PRESENTED) An apparatus for processing a program, comprising:

first means for receiving a first user input selecting a first program for removal from a first list representing a list of programs scheduled for recording, and for receiving a second user input selecting a second program for removal from a second list representing a list of programs purchased; and

second means for determining whether said second program also appears on said first list responsive to said second user input, and for automatically removing said second program from said first list if said second program appears on said first list.

19. (PREVIOUSLY PRESENTED) The apparatus of claim 18, wherein said second means enables display of an on screen user option indicating that a user can both purchase and record a selected program so that said user does not have to select one of purchase and record user options and then select the other user option to purchase and record said selected program.

20. (PREVIOUSLY PRESENTED) An apparatus for processing a program, comprising:

first means for receiving a user command;

second means for removing said program from a first list of programs representing programs scheduled for recording responsive to said user command;

said second means determining whether said program is also a purchased program responsive to said user command, and enabling an on screen display including an option to cancel the purchase of said program if it is determined that said program is also a purchased program; and

wherein said program is removed from a second list of programs representing purchased programs responsive to user selection of said option.

21. (PREVIOUSLY PRESENTED) The apparatus of claim 20, wherein said second means enables display of an on screen user option indicating that a user can both purchase and record a selected program so that said user does not have to select one of purchase and record user options and then select the other user option to purchase and record said selected program.

22. (PREVIOUSLY PRESENTED) An apparatus for processing a program, comprising:

- a receiver operative to receive a first user input selecting a first program for removal from a first list representing a list of programs scheduled for recording, and to receive a second user input selecting a second program for removal from a second list representing a list of programs purchased; and

- a processor operative to determine whether said second program also appears on said first list responsive to said second user input, and to automatically remove said second program from said first list if said second program appears on said first list.

23. (PREVIOUSLY PRESENTED) The apparatus of claim 22, wherein said processor enables display of an on screen user option indicating that a user can both purchase and record a selected program so that said user does not have to select one of purchase and record user options and then select the other user option to purchase and record said selected program.

24. (PREVIOUSLY PRESENTED) An apparatus for processing a program, comprising:

- a receiver operative to receive a user command;

a processor operative to remove said program from a first list of programs representing programs scheduled for recording responsive to said user command;

said processor being further operative to determine whether said program is also a purchased program responsive to said user command, and to enable an on screen display including an option to cancel the purchase of said program if it is determined that said program is also a purchased program; and

wherein said program is removed from a second list of programs representing purchased programs responsive to user selection of said option.

25. (PREVIOUSLY PRESENTED) The apparatus of claim 24, wherein said processor enables display of an on screen user option indicating that a user can both purchase and record a selected program so that said user does not have to select one of purchase and record user options and then select the other user option to purchase and record said selected program.

Remarks/Arguments

Claims 16-25 are pending in this application, and are rejected in the Examiner's Answer of December 8, 2008, which also contained a new ground of rejection under 35 U.S.C. §101. Claims 16 and 17 are amended herein to more particularly point out and distinctly claim the subject matter regarded as the invention.

Re: Patentability of Claims 16 and 17 under 35 U.S.C. §101

Claims 16 and 17 are newly rejected in the Examiner's Answer of December 8, 2008 under 35 U.S.C. §101 for allegedly not falling within one of the four statutory categories of invention. Applicants respectfully traverse this rejection for at least the following reasons. Claims 16 and 17 are amended herein to definitively link the methods recited by these claims to another statutory category, namely a video apparatus. In view of this amendment, claims 16 and 17 are deemed statutory under 35 U.S.C. §101, and withdrawal of the rejection is respectfully requested.

Re: Patentability of Claims 16-18, 20, 22 and 24 under 35 U.S.C. §103(a)

Claims 16-18, 20, 22 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,850,218 issued to LaJoie et al. (hereinafter, "LaJoie"). Applicants respectfully traverse this rejection for at least the same reasons provided in their previously submitted Appeal Brief and Reply Brief, which are hereby incorporated by reference in entirety. Accordingly, withdrawal of this rejection is respectfully requested.

Re: Patentability of Claims 19, 21, 23 and 25 under 35 U.S.C. §103(a)

Claims 19, 21, 23 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over LaJoie in view of the RCA DRD202RA Owner's Manual

(hereinafter, "the RCA manual"). Applicants respectfully traverse this rejection for at least the same reasons provided in their previously submitted Appeal Brief and Reply Brief, which are hereby incorporated by reference in entirety. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks/arguments, Applicants believe that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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